

REMARKS

In the Office Action mailed 11/2/2005, Claims 1 – 14 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting. The Abstract and Specification were objected to for informalities.

In response, Applicant has herein made amendment to the Specification and Abstract to resolve the informalities.

Applicant has further filed a Terminal Disclaimer, along with the appropriate fee to overcome the obviousness-type double patenting. In view of the filing of the terminal disclaimer, Application Serial number 10/785,360 is no longer a viable reference to be relied upon in rejection of the claims in the instant application. The remaining cited references are O'Hara, U.S. Patent No. 3,699,574, Giessing et al., U.S. Patent No. 4,992,797, Kozlov et al., Patent Application Publication No. US 2002/0140605, and Buczak, et al. Patent Application Publication No. US 2003/0050902.

O'Hara is a "Scanned Cylindrical Array Monopulse Antenna" that fails to disclose a DF system having a transmission signature analysis system or using the transmission signature analysis method of the claimed invention.

Giessing is a "Method of Detection and Identification of One or More Remote Objects." The Giessing method identifies the "remote objects" by "transmitting wave energy towards the object and receiving wave energy reflected from the object." *Claim 1*. In contrast, Applicant's claimed method employs the analysis of a "transmission signature" that is classified by the transmission's "final resting frequency." Giessing does not disclose a method or system analyzing a transmission signature; Giessing analyzes the signature of

the reflected signal. Furthermore, nothing in Gjessing utilizes a final resting frequency of the bounced-back transmission.

Kozlov is a "Method and Apparatus for Joint Identification and Direction Finding." As a preliminary matter, Kozlov is restricted to acoustic signals, with its articulated field being identification and tracking of military vehicles – acoustic signals are not considered to be "transmitted" when they are generated by the operation of a mechanism (where the purpose of the mechanism is other than simply generating an acoustic signal). Furthermore, Kozlov recites "iterating said identifying and said determining, each said identifying after a first said identifying being based on an immediately preceding said determining." See *Claim 1*. There is no such functional aspect claimed by Applicant, and therefore Kozlov recites a method and apparatus that is not the same as Applicant's claimed invention.

Finally, Buczak discloses a "Genetic Algorithm Optimization Method." While Buczak does, albeit generically, discuss the control of a network of sensors, there is no disclosure of a method or system that identifies the transmission signature of a received signal as does Applicant's claimed invention.

Consequently, since none of the cited references (absent the '360 application) disclose, suggest or hint at each and every limitation of Applicant's claimed method and system, all ground for rejection have been overcome through the filing of the terminal disclaimer. As such, Applicant respectfully asserts that all claims are now in condition for allowance.

**Conclusion**

In view of the foregoing amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims be allowed, and the case passed to issue.

Respectfully submitted,

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